

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

LATRELL ADAMS

PLAINTIFF

VS.

CIVIL ACTION NO. 5:08-cv-154(DCB)(MTP)

CHRISTOPHER EPPS, ET AL.

DEFENDANTS

ORDER ADOPTING REPORT AND RECOMMENDATION
AND DENYING MOTION TO PROCEED AS PARTIAL CLASS ACTION

This cause is before the Court on the Report and Recommendation of Magistrate Judge Michael T. Parker (**docket entry 93**), and on the plaintiff's motion to proceed as partial class action (**docket entry 64**). Having carefully considered the report and recommendation, the plaintiff's motion, the defendants' response to the motion, and the plaintiff's objections to the report and recommendation, the Court finds as follows:

In order to have his action certified as a class action, the plaintiff must meet the requirements of Rule 23(a) and (b) of the Federal Rules of Civil Procedure. In his motion and in his objections to the Report and Recommendation, the plaintiff fails to show that any of these requirements are met. The Court adopts the Report and Recommendation, which concludes that the plaintiff's motion should be denied. Accordingly,

IT IS HEREBY ORDERED that the Report and Recommendation of Magistrate Judge Michael T. Parker (**docket entry 93**), is adopted by the Court in its entirety;

FURTHER ORDERED that the plaintiff Latrell Adams' motion to proceed as partial class action (**docket entry 64**) is DENIED.

SO ORDERED, this the 1st day of April, 2009.

/s/ David Bramlette
UNITED STATES DISTRICT JUDGE